



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#0360  
No Fee

Patent Application of:  
Archibald Jr., et al.

Serial No. 09/872,386  
Filed: June 1, 2001

For:

**STORAGE MEDIA SCANNER APPARATUS  
AND METHOD PROVIDING MEDIA  
PREDICTIVE FAILURE ANALYSIS  
AND PROACTIVE MEDIA SURFACE DEFECT  
MANAGEMENT**

Atty Docket No. SJ09-2000-0075-US1  
A-69614/RMA/JED

**CERTIFICATE OF MAILING**

*I hereby certify that this correspondence is being deposited  
with the United States Postal Service as First Class Mail in an  
envelope addressed to: Assistant Commissioner for Patents  
Washington, DC 20231, Office of Initial Patent Examination on  
October 2, 2001*

Signed:

*Patricia A. Diehl*  
Patricia A. Diehl

**RESPONSE TO NOTICE TO FILE  
CORRECTED APPLICATION PAPERS**

Assistant Commissioner of Patents  
Washington, DC 20231  
BOX: Office of Initial Patent Examination

Sir:

In response to the Notice to File Corrected Application Papers mailed August 2, 2001, a copy of which is enclosed, Applicants herewith submit the following:

- ☐ Executed Power of Attorney by Assignee and Exclusion of Inventor
- ☐ Executed Declaration of Inventor
- ☐ Assignment/Cover Sheet
- ☐ Request to Correct Filing Receipt
- ☐ Petition for Extension
- ☒ Substitute set of 4 drawing sheets, Figs. 1-5
- ☒ Amended specification renumbering pages consecutively and canceling incomplete sentences caused by omitted pages
- ☒ A marked up version of the amended specification, showing all of the changes to the specification of record
- ☐ A check is enclosed for

Please charge any fees associated with this communication to Deposit Account 06-1300 (Order No. A-69614/RMA).

Respectfully submitted,  
FLEHR HOHBACH TEST ALBRITTON & HERBERT, LLP

By

*Larry Mendenhall*  
Larry Mendenhall, Reg. No. 38,555

4 Embarcadero Center Suite 3400  
San Francisco, CA 94111  
(415) 781-1989

1033295



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/872,386	06/01/2001	John Edward Archibald JR.	SJ09-2000-0075-US1

CONFIRMATION NO. 2880

FORMALITIES LETTER



FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP  
Suite 3400  
Four Embarcadero Center  
San Francisco, CA 94111-4187

~~11/01/2001~~ ~~00000000~~ ~~061300~~ ~~09872386~~

Date Mailed: 08/02/2001

~~01 FC:105~~ ~~130.00 CH~~

NOTICE TO FILE CORRECTED APPLICATION PAPERS

~~Adjustment date: 11/27/2001~~ ~~SSALEEKU~~  
~~11/01/2001~~ ~~00000000~~ ~~061300~~ ~~09872386~~  
~~01 FC:105~~ ~~130.00 CH~~

Filing Date Granted

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:

~~11/27/2001~~ ~~SSALEEKU~~ ~~00000000~~ ~~061300~~ ~~09872386~~

~~01 FC:105~~ ~~80.00 CH~~ drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

~~Void date: 11/27/2001~~ ~~SSALEEKU~~ ~~00000000~~ ~~061300~~ ~~09872386~~  
~~11/27/2001~~ ~~00000000~~ ~~061300~~ ~~09872386~~  
~~01 FC:105~~ ~~80.00 CH~~

Item(s) appear to have been omitted from the application:

- Page(s) 2 of the specification (description and claims).

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

***A copy of this notice MUST be returned with the reply.***

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

[illegible]